

# COMPOSITE EXHIBIT 2A



Scott St John (public) &lt;j.scott.stjohn.public@gmail.com&gt;

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**CRT/Amendment to Special Master's Scheduling Order No. 1**

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jckress@thekresslawfirm.com &lt;jckress@thekresslawfirm.com&gt;

Fri, Nov 6, 2015 at 10:02 AM

To: rbonsignore@class-actions.us, Francis Scarpulla &lt;fos@scarpullalaw.com&gt;

Cc: "Lauren Capurro (Russell)" <LaurenRussell@tatp.com>, "emilio.varanini@doj.ca.gov" <emilio.varanini@doj.ca.gov>, "jdc@coopkirk.com" <jdc@coopkirk.com>, Theresa Moore <tmoore@alitolaw.com>, "pbjusti@comcast.net" <pbjusti@comcast.net>, "jlwestfall.esq@gmail.com" <jlwestfall.esq@gmail.com>, "jscottstjohnpublic@gmail.com" <jscottstjohnpublic@gmail.com>, "andrea.valdez.esq@gmail.com" <andrea.valdez.esq@gmail.com>, "trhanigan@gmail.com" <trhanigan@gmail.com>, "cbandas@bandaslawfirm.com" <cbandas@bandaslawfirm.com>, "sampc01@gmail.com" <sampc01@gmail.com>, "jef@fortmanlaw.com" <jef@fortmanlaw.com>, "lawchrist@gmail.com" <lawchrist@gmail.com>, "darrell.palmer@palmerlegalteam.com" <darrell.palmer@palmerlegalteam.com>, "rbonsignore@classactions.us" <rbonsignore@classactions.us>, "Mario N. Alioto" <malioto@tatp.com>, Bob Gralewski <bgralewski@kmlp.com>, Martin Quinn <MQuinn@jamsadr.com>, Patrick Clayton <psc@scarpullalaw.com>

Indeed, my co-counsel and I take issue with being saddled with responding to briefs during not only the Thanksgiving Holiday, but also Christmas. I am on vacation with my family during both of those times, and would not be available to respond to briefs or other issues. My co-counsel has similar conflicts as well for the same reason. No one consulted with us before suggesting that the objectors respond to pleadings during not one, but (2) holidays.

On behalf of objectors Mr. Finn and Ms. Fortman, we believe that the changes suggested by Mr. Scarpulla should be adopted and the schedule modified. No one is prejudiced by such reasonable request.

John C. Kress

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----- Original Message -----

Subject: Re: CRT/Amendment to Special Master's Scheduling Order No. 1

From: [rbonsignore@class-actions.us](mailto:rbonsignore@class-actions.us)

Date: Fri, November 06, 2015 8:58 am

To: Francis Scarpulla <[fos@scarpullalaw.com](mailto:fos@scarpullalaw.com)>

Cc: "Lauren Capurro (Russell)" <[LaurenRussell@tatp.com](mailto:LaurenRussell@tatp.com)>, "emilio.varanini@doj.ca.gov" <[emilio.varanini@doj.ca.gov](mailto:emilio.varanini@doj.ca.gov)>, "jdc@coopkirk.com" <[jdc@coopkirk.com](mailto:jdc@coopkirk.com)>, Theresa Moore <[tmoore@aliotolaw.com](mailto:tmoore@aliotolaw.com)>, "pbjusti@comcast.net" <[pbjusti@comcast.net](mailto:pbjusti@comcast.net)>, "jlwestfall.esq@gmail.com" <[jlwestfall.esq@gmail.com](mailto:jlwestfall.esq@gmail.com)>, "jscottstjohnpublic@gmail.com" <[jscottstjohnpublic@gmail.com](mailto:jscottstjohnpublic@gmail.com)>, "andrea.valdez.esq@gmail.com" <[andrea.valdez.esq@gmail.com](mailto:andrea.valdez.esq@gmail.com)>, "trhanigan@gmail.com" <[trhanigan@gmail.com](mailto:trhanigan@gmail.com)>, "cbandas@bandaslawfirm.com" <[cbandas@bandaslawfirm.com](mailto:cbandas@bandaslawfirm.com)>, "sampc01@gmail.com" <[sampc01@gmail.com](mailto:sampc01@gmail.com)>, "jef@fortmanlaw.com" <[jef@fortmanlaw.com](mailto:jef@fortmanlaw.com)>, "jckress@thekresslawfirm.com" <[jckress@thekresslawfirm.com](mailto:jckress@thekresslawfirm.com)>, "lawchrist@gmail.com" <[lawchrist@gmail.com](mailto:lawchrist@gmail.com)>, "darrell.palmer@palmerlegalteam.com" <[darrell.palmer@palmerlegalteam.com](mailto:darrell.palmer@palmerlegalteam.com)>, "rbonsignore@classactions.us" <[rbonsignore@classactions.us](mailto:rbonsignore@classactions.us)>, "Mario N. Alioto" <[malioto@tatp.com](mailto:malioto@tatp.com)>, Bob Gralewski <[bgralewski@kmlp.com](mailto:bgralewski@kmlp.com)>, Martin Quinn <[MQuinn@JAMSADR.com](mailto:MQuinn@JAMSADR.com)>, Patrick Clayton <[pbcl@scarpullalaw.com](mailto:pbcl@scarpullalaw.com)>

I have just read this and also join in this request.

Sent from my iPhone

**Robert J. Bonsignore**

Bonsignore Trial Lawyers, PLLC

(781) 856 7650 cell

On Nov 6, 2015, at 9:18 AM, Francis Scarpulla <[fos@scarpullalaw.com](mailto:fos@scarpullalaw.com)> wrote:

All: I am in Toronto at a mediation and will not return to San Francisco until midday Saturday. I just received the proposed stipulation, about which schedule I was never consulted. This schedule appears to require me to work over the Thanksgiving week, as well as over the Christmas holidays. I respectfully request that all objectors be given an additional week for their replies to Mr. Alioto's filing as well as an extra week to file objections to any Report and Recommendations filed by the Special Master. The hearing dates would be adjusted accordingly, so that the court hearing would be on February 23, which I recall is one of the days Judge Tigar had available.

On Nov 5, 2015, at 11:52 PM, Lauren Capurro (Russell) <[LaurenRussell@tatp.com](mailto:LaurenRussell@tatp.com)> wrote:

Dear Counsel:

Attached is a Stipulation and [Proposed] Order Amending the Special Master's Scheduling Order No. 1.

We received these dates from the Special Master today. The Special Master also indicated the Judge has approved these dates. The Special Master wants the stipulation to be filed as soon as possible given that briefs are currently due tomorrow. Therefore, we intend to file the attached stipulation at 2pm Pacific tomorrow.

Mario N. Alioto

Lauren C. Capurro (Russell)  
Attorney at Law  
Trump, Alioto, Trump & Prescott, LLP  
2280 Union Street  
San Francisco, CA 94123  
Telephone: (415) 563-7200  
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<Stipulation & [Proposed] Order Amending Special Master's Scheduling Order No. 1.pdf>

# COMPOSITE EXHIBIT 2B



Scott St John (public) &lt;j.scott.stjohn.public@gmail.com&gt;

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**CRT/Amendment to Special Master's Scheduling Order No. 1**

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Tim Hanigan &lt;trhanigan@gmail.com&gt;

Fri, Nov 6, 2015 at 10:08 AM

To: Theresa Moore &lt;tmoore@aliotolaw.com&gt;

Cc: "Lauren Capurro (Russell)" <LaurenRussell@tatp.com>, "emilio.varanini@doj.ca.gov" <emilio.varanini@doj.ca.gov>, Fran Scarpella <fos@scarpullalaw.com>, "jdc@coopkirk.com" <jdc@coopkirk.com>, "pbjusti@comcast.net" <pbjusti@comcast.net>, "jlwestfall.esq@gmail.com" <jlwestfall.esq@gmail.com>, "jscottstjohnpublic@gmail.com" <jscottstjohnpublic@gmail.com>, "andrea.valdez.esq@gmail.com" <andrea.valdez.esq@gmail.com>, "cbandas@bandaslawfirm.com" <cbandas@bandaslawfirm.com>, "sampc01@gmail.com" <sampc01@gmail.com>, "jef@fortmanlaw.com" <jef@fortmanlaw.com>, "jckress@thekresslawfirm.com" <jckress@thekresslawfirm.com>, "lawchrist@gmail.com" <lawchrist@gmail.com>, Darrell Palmer <darrell.palmer@palmerlegalteam.com>, "rbonsignore@classactions.us" <rbonsignore@classactions.us>, "Mario N. Alioto" <malioto@tatp.com>, Bob Gralewski <bgralewski@kmlp.com>

**Counsel:**

I also object. The new dates are right in the middle of the holidays.

On Fri, Nov 6, 2015 at 8:02 AM, Theresa Moore <tmoore@aliotolaw.com> wrote:

Counsel-

I object to the Stipulation and Proposed Order requesting new dates and prefer to keep the dates as they are to avoid holiday and family conflicts. The new proposed dates, as well as the proposed dates with an additional week, are not workable, as I will be out of the country and unavailable on the proposed dates when work would be required.

Theresa

On Nov 5, 2015, at 8:52 PM, Lauren Capurro (Russell) <LaurenRussell@tatp.com> wrote:

Dear Counsel:

Attached is a Stipulation and [Proposed] Order Amending the Special Master's Scheduling Order No. 1.

We received these dates from the Special Master today. The Special Master also indicated the Judge has approved these dates. The Special Master wants the stipulation to be filed as soon as possible given that briefs are currently due tomorrow. Therefore, we intend to file the attached stipulation at 2pm Pacific tomorrow.

Mario N. Alioto

Lauren C. Capurro (Russell)  
Attorney at Law  
Trump, Alioto, Trump & Presco, LLP  
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<Stipulation & [Proposed] Order Amending Special Master's Scheduling Order No. 1.pdf>

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*Timothy R. Hanigan*  
*LANG, HANIGAN & CARVALHO, LLP*  
*21550 Oxnard Street*  
*Suite 760*  
*Woodland Hills, CA 91367*  
(o) (818) 883-5644  
(c) (818) 917-5363

# COMPOSITE EXHIBIT 2C





Scott St John (public) &lt;j.scott.stjohn.public@gmail.com&gt;

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**CRT/Amendment to Special Master's Scheduling Order No. 1**

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**Scott St John (public)** <j.scott.stjohn.public@gmail.com>

Fri, Nov 6, 2015 at 10:56 AM

To: Francis Scarpulla &lt;fos@scarpullalaw.com&gt;

Cc: Josef Cooper <jdc@coopkirk.com>, "Lauren Capurro (Russell)" <LaurenRussell@tatp.com>, "emilio.varanini@doj.ca.gov" <emilio.varanini@doj.ca.gov>, Theresa Moore <tmoore@alitolaw.com>, "pbjusti@comcast.net" <pbjusti@comcast.net>, "jlwestfall.esq@gmail.com" <jlwestfall.esq@gmail.com>, "jscottstjohnpublic@gmail.com" <jscottstjohnpublic@gmail.com>, "andrea.valdez.esq@gmail.com" <andrea.valdez.esq@gmail.com>, "trhanigan@gmail.com" <trhanigan@gmail.com>, "cbandas@bandaslawfirm.com" <cbandas@bandaslawfirm.com>, "sampc01@gmail.com" <sampc01@gmail.com>, "jef@fortmanlaw.com" <jef@fortmanlaw.com>, "jckress@thekresslawfirm.com" <jckress@thekresslawfirm.com>, "lawchrist@gmail.com" <lawchrist@gmail.com>, "darrell.palmer@palmerlegalteam.com" <darrell.palmer@palmerlegalteam.com>, "rbonsignore@classactions.us" <rbonsignore@classactions.us>, "Mario N. Alioto" <malioto@tatp.com>, Bob Gralewski <bgralewski@kmlp.com>, Martin Quinn <MQuinn@jamsadr.com>, Patrick Clayton <pbcl@scarpullalaw.com>, Tracy Kirkham <trk@coopkirk.com>, Brian Torres <btorres@sheftalltorres.com>

On behalf of Objector Douglas W. St. John, I join in objecting to the stipulation due to the holiday issue raised by other objectors, and because:

(1) IPP Counsel's proffered rationale for the change is that "eleven objections to the requested attorneys' fees and approval of the proposed settlements have been filed, three of which were not filed with the Court until long after the October 8, 2015 deadline for objections (see Dkt. Nos. 4128, 4140 and 4144)." That rationale--lack of time to respond--is particularly hollow given that objectors were given only 15 days to respond to IPP Counsel's 1500+ page fee request. Cf. Fed. R. Civ. P. 16(b) ("A schedule may be modified only for good cause . . ."). To the extent any objections were untimely, IPP Counsel is free to raise that issue in its response to those particular objections.

(2) This "stipulation" is itself untimely. The last objection identified by IPP Counsel, D.E. No. 4144, was filed on October 26. IPP Counsel identify no reason why they could not have consulted with objectors prior to late on the night before IPP Counsel's opposition papers are due.

(3) IPP Counsel should not be engaging in ex parte communications with the Special Master and the Court (via the Special Master) for the purpose of presenting objectors with a fait accompli.

(4) This "stipulation" reflects but the latest example of IPP Counsel selectively treating objectors as parties or non-parties, depending on which result benefits IPP Counsel in a particular instance.

(5) To the extent the Special Master or the Court is inclined to alter the procedural schedule, I join in Mr. Scarpulla's recommendation.

Should IPP Counsel submit their proposed "stipulation" or a motion to alter the procedural schedule, I request that the objections raised by counsel for various objectors via email be appended as an exhibit to that submission.

Best regards,  
Joseph S. St. John

On Fri, Nov 6, 2015 at 10:52 AM, Francis Scarpulla <fos@scarpullalaw.com> wrote:

I agree with the idea of a meet-and-confer.

Also note that objectors represented by Brian Torres were left off; I have added him.

> On Nov 6, 2015, at 11:49 AM, Josef Cooper <jdc@coopkirk.com> wrote:

>  
>

> We join in the objection to the schedule proposed in the Stipulation on the grounds that it is unreasonably burdensome on any person wishing to respond to Lead Counsel's defense of the settlements, plan of distribution or attorney's fee request, or to object to the Special Master's Report and Recommendations. The compromise proposed by Mr. Scarpulla is acceptable to us, although we suggest that an alternative would be to simply vacate the current schedule before Lead Counsel's brief is due today, and instruct all interested persons to meet and confer with each other and the Special Master to arrive at a new master schedule for addressing the various objections that have been raised. As counsel for the certified and proposed classes, we also object that we were not consulted by Lead Counsel regarding the proposed stipulation until we received the email yesterday enclosing the draft.

>

> Also, please include Tracy Kirkham at [trk@coopkirk.com](mailto:trk@coopkirk.com) in all future communications. Thank you.

>

> Josef Cooper and Tracy Kirkham

>

>

> From: Francis Scarpulla [[fos@scarpullalaw.com](mailto:fos@scarpullalaw.com)]

> Sent: Friday, November 06, 2015 6:18 AM

> To: Lauren Capurro (Russell)

> Cc: [emilio.varanini@doj.ca.gov](mailto:emilio.varanini@doj.ca.gov); Josef Cooper; Theresa Moore; [pjusti@comcast.net](mailto:pjusti@comcast.net); [jlwestfall.esq@gmail.com](mailto:jlwestfall.esq@gmail.com); [jscottstjohnpublic@gmail.com](mailto:jscottstjohnpublic@gmail.com); [andrea.valdez.esq@gmail.com](mailto:andrea.valdez.esq@gmail.com); [trhanigan@gmail.com](mailto:trhanigan@gmail.com); [cbandas@bandaslawfirm.com](mailto:cbandas@bandaslawfirm.com); [sampc01@gmail.com](mailto:sampc01@gmail.com); [jef@fortmanlaw.com](mailto:jef@fortmanlaw.com); [jckress@thekresslawfirm.com](mailto:jckress@thekresslawfirm.com); [lawchrist@gmail.com](mailto:lawchrist@gmail.com); [darrell.palmer@palmerlegalteam.com](mailto:darrell.palmer@palmerlegalteam.com); [rbonsignore@classactions.us](mailto:rbonsignore@classactions.us); Mario N. Alioto; Bob Gralewski; Martin Quinn; Patrick Clayton

> Subject: Re: CRT/Amendment to Special Master's Scheduling Order No. 1

>

> All: I am in Toronto at a mediation and will not return to San Francisco until midday Saturday. I just received the proposed stipulation, about which schedule I was never consulted. This schedule appears to require me to work over the Thanksgiving week, as well as over the Christmas holidays. I respectfully request that all objectors be given an additional week for their replies to Mr. Alioto's filing as well as an extra week to file objections to any Report and Recommendations filed by the Special Master. The hearing dates would be adjusted accordingly, so that the court hearing would be on February 23, which I recall is one of the days Judge Tigar had available.

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mailto:[LaurenRussell@tatp.com](mailto:LaurenRussell@tatp.com)>> wrote:

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> Dear Counsel:

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> Attached is a Stipulation and [Proposed] Order Amending the Special Master's Scheduling Order No. 1.

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>

> Mario N. Alioto

>  
> Lauren C. Capurro (Russell)  
> Attorney at Law  
> Trump, Alioto, Trump & Prescott, LLP  
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